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October 10, 2006

Mr. Dave Walls
Executive Director
California Building Standards Commission
2525 Natomas Park Drive, Suite 130
Sacramento, CA 95833

RE: California State Fire Marshal's Proposed Code Changes

Dear Mr. Walls:

Thank you for the opportunity to comment on the State Fire Marshal's proposed amendments to the 2006 International Building Code (IBC) currently under consideration for adoption into the 2007 California Building Code (CBC). This is our first opportunity to comment on the proposed changes since they were announced in September, 2006. The purpose of this letter is to communicate our objections to both the quantity (nearly 1000) and the content of the proposed amendments.

The 2006 International Building Code was developed through a rigorous process of open hearings with full disclosure of individual viewpoints supported by facts and data. Each proposal was extensively debated and final decisions were based on the consensus opinion of fire marshals and building officials across the country. This process was both open and fair. The proposed changes from the Office of the State Fire Marshal (SFM) suggest that all this work be abandoned and that California adopt the language and requirements of the 1997 Uniform Building Code without the need for open hearings or supporting justification.

The Weyerhaeuser Company is an active participant in the California economy, with over 25 facilities, 2,800 employees, \$43 million in taxes (excluding payroll) and \$39 million in capital investment in the state. Weyerhaeuser manages wood products conversion facilities in the state, and our homebuilding subsidiary has built thousands of homes in California communities. We believe the proposed amendments, which replace the latest IBC provisions with outdated 1997 UBC language will increase the cost and complexity of buildings without providing measurable improvements in public safety.

We believe that national model codes are an important component of California commerce. When adopted uniformly across the country without significant amendments, these codes allow manufacturers and distributors of structural products to efficiently deliver these products to a broad range of markets. These efficiencies are stifled by unnecessary state and local regulations and will have a negative impact on the California economy.

Weyerhaeuser supports the model code process in which the merits of building code provisions are considered at the national level, with input from all jurisdictions, including California. Many of the proposed building height and areas limitations in the SFM amendments have already been proposed at the IBC hearings by the National Association of State Fire Marshals with input from the California

State Fire Marshal. We encourage the SFM to continue to work within the IBC framework rather than adopting a unilateral, California-only, set of provisions.

Our specific comments on the proposed amendments include both procedural issues and examples of technical issues.

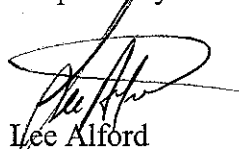
Procedural Issues. The procedure in which the package of code change proposals has been prepared does not explicitly specify which amendments were developed as *non-subjective and mandated* by the California Health and Safety Code, versus which amendments are *subjectively interpreted, yet compliant* to the same code. The degree of subjective judgment by the California State Fire Marshal with respect to the state mandate is unclear in the Informative Statement of Reasons. We are therefore at a disadvantage to accept or refute the merits of each amendment (and provide public comment). The "Nine Point Criteria Analysis", as mandated by California law, would provide such substantiation on rationale and costs. It is our understanding that this analysis has not been conducted for the proposed amendments.

Examples of Technical Issues. The changes proposed to Table 508.3.3 relative to the IBC are confusing and need additional clarification before we can understand the full extent of the increase in fire resistance ratings from 2 or 3 hours to 4 hours. It is unclear whether this proposed amendment is based on consideration of California-specific statutes. A second example is provided in the proposed amendments to Chapter 7 Section 704.5 relative to high rise test requirements. The proposed changes to this section are not consistent with reasons given in the document "Initial Statement of Reasons for Proposed Building Standards of the Office of the State Fire Marshal (SFM) Regarding the Adoption by Reference of the 2006 Edition of the International Building Code with Amendments into the 2007 California Building Code California Code of Regulations Title 24, Part 2." We would not agree with the position that would require all exterior walls to have their fire resistance rating determined from both sides regardless of separation distance and height of the building. A third example, is the elimination of height and story increases for "13R" sprinkler systems in residential occupancies -- a reliable and less expensive means of providing sprinkler protection in affordable housing -- is not justified. A final example of deviation from national practice is the specific elimination of references to the International Residential Code (IRC) throughout the SFM proposals. If enacted, this would eliminate a proven code that provides safe and affordable housing.

In summary, Weyerhaeuser supports the national consensus process of model code development. We object to amendments at the state or local level unless required by law or substantiated by overwhelming evidence to support such amendments. We believe that California's economy will be negatively impacted by a large number of proposed amendments (many of which have already been debated and rejected at the model code hearings in which the SFM participated).

Thank you for considering our comments.

Respectfully submitted,



Lee Alford
Sr. VP, Residential Wood Products

cc: Rosario Marin
Kate Dargan